

United States District Court
Southern District of Texas
Laredo Division
December 3, 2019 2A
David J. Buckley, Clerk
Laredo Division

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

v.

OSVALDO VIJIL-NIETO

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CRIMINAL NO. 5:19-CR-1816

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through Ryan K. Patrick, United States Attorney for the Southern District of Texas and Francisco J. Rodriguez, Assistant United States Attorney, and the defendant, **OSVALDO VIJIL-NIETO** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

On September 25, 2019, United States Border Patrol Agents encountered a group of four (4) individuals in the Santa Rita subdivision in Laredo, Texas. The agents detained these individuals and conducted an immigration inspection. They subsequently learned that all four (4) individuals were undocumented aliens, Mexican and Guatemalan nationals, with no legal status to enter, travel through, or remain in the United States. The aliens admitted to having just illegally entered the United States by crossing the Rio Grande River. Agents subsequently detained all four (4) individuals and brought them to the Laredo South Sector Border Patrol Station for questioning.

Agents identified the defendant, OSVALDO VIJIL-NIETO, as a possible foot guide for the group because he was from nearby Nuevo Laredo, Tamaulipas, Mexico, while the other members of his group were from Guatemala. After a *Miranda* rights advisement and waiver, the defendant admitted to bringing in and guiding the group of individuals with whom he was apprehended. He admitted to knowing that the members of the group were UDAs, and to having been promised \$1,000 Mexican pesos per person he smuggled. The defendant further admitted that it had been his intention to lead the group into Laredo and wait for an unknown person to pick them up.

Material witnesses JOSE HERMELINO MENDEZ-RODRIGUEZ and YESICA YOJANA CLEMENTE-LUCAS were detained in this case. Both individuals admitted to being UDAs and Guatemalan nationals who had paid, or arranged to pay, smugglers to be illegally brought into the United States and taken to their ultimate destination of Houston, Texas, and Washington, respectively. Both individuals identified the defendant as the foot guide for their group on six-pack photo arrays.

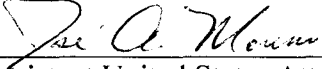
III.

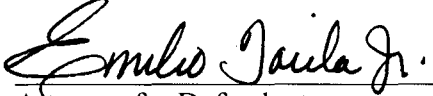
Defendant, **OSVALDO VIJIL-NIETO**, hereby confesses and judicially admits that on **September 25, 2019**, he knowingly **conspired to transport an undocumented alien within the United States**, in violation of **Title 8, United States Code, Sections 1324 (a)(1)(A)(ii) and (v)(I)**.

* Osvaldo Vijil Nieto
OSVALDO VIJIL-NIETO
Defendant

APPROVED:

RYAN K. PATRICK
UNITED STATES ATTORNEY

By: 
Assistant United States Attorney
Southern District of Texas


Attorney for Defendant